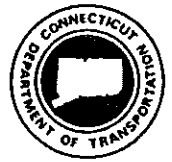




STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

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Office of the
Commissioner

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March 6, 2009 – Public Hearing Transportation Committee

Testimony Submitted by Commissioner Joseph F. Marie Department of Transportation

H.B. 6393 – An Act Concerning Transportation, Motor Vehicles, Highway Safety, and Special Transportation Fund.

The Department of Transportation (DOT) thanks Governor Rell for proposing the provisions within H.B. 6393, AAC Transportation, Motor Vehicles, Highway Safety, and Special Transportation Fund and strongly supports its passage.

H.B. 6393 seeks to make two changes to statutes governing the activities of outdoor advertisers. It first requires sign structures to be fully constructed within six months of the date the permit is issued. DOT believes permits should not be allowed where there is no sign structure as it prevents other sign companies from applying for a sign at that location or within certain prohibited distances on either side of the proposed location and Department resources are expended to review such applications for those instances where a sign company does not actually build a sign.

Second, H.B. 6393 increases the fees for outdoor advertising applications and permits in order to cover the administrative costs (approx. \$300,000) associated with maintaining the permitting program, while maximizing revenue for the Special Transportation Fund. The existing permit fee revenue falls far short of the Department's costs associated with regulating the outdoor advertising industry. The proposed fee schedule is more in line with the administrative expenditures necessary to oversee the day to day needs associated with the processing of application packages, field inspections, issuance of State Sign Permit fees, processing tree-trimming requests, monitoring of billboards for compliance with statutes and regulations, compiling the annual billing for permit fees, and a time consuming process of meeting with certain applicants and their legal counsel, many times with the assistance of the Attorney General's Office.

The Governor's bill also assists the Department in recouping some of the costs of engineering analysis and administrative costs associated with the permitting of oversize/overweight vehicles by establishing a new fee structure.

The Connecticut Department of Transportation is responsible for two areas of motor carrier regulation: oversize/overweight permits and radioactive materials transportation permits. Vehicle operations in the State of Connecticut must comply with size and weight limitations cited in the Connecticut General Statutes sections 14-261, 14-261a, 14-262, 14-264, 14-267a, 14-269 and 14-270, as amended to operate upon state highways. The Commissioner of Transportation is empowered to issue permits for

the operation or movement of certain vehicles of a size or weight in excess of these limitations.

In granting the Commissioner this authority, the movement of vehicles and loads which exceed the statutory limitations may be permitted when other forms of transportation are not available and the size and/or weight does not exceed that suggested by sound engineering judgment.

The engineering analysis is a thorough review of bridge structures and associated load ratings along the permitted route. Pre-trip meetings between Department staff, motor carriers and on-scene responders are required to ensure that all aspects of complex permitted moves are coordinated to ensure the safety of the statewide transportation network and its users. In addition, Department staff is required to be present on-scene during such moves to verify that the specific requirements of the permitted move are being met, and the integrity of bridges and structures has been maintained.

While it is not the intent of the Commissioner of Transportation to hinder or prohibit the movement of oversize and/or overweight vehicles or loads, a reasonable degree of control is necessary to achieve the following objectives:

- Protect the motoring public from potential traffic or accident hazards which may be occasioned by movement of oversize and/or overweight vehicles and loads on public highways;
- Prevent damage to pavements and highway structures, thus protecting the huge public economic investment in Connecticut's highway system;
- Preserve the comfort and conveniences to which the motoring public is entitled, and guard against undue delays to the normal flow of traffic; and
- Fulfill the intent of the Statutes which authorize the Commissioner of Transportation to issue permits for oversize vehicles, and satisfy the highway transportation needs of manufacturers, contractors and operators of oversize and overweight objects.

The Department of Transportation must annually submit a Vehicle Size and Weight Enforcement Plan to the Federal Highway Administration (FHWA) which describes the procedures, resources and facilities that the State intends to devote the enforcement of its vehicle size and weight laws. In addition, an Annual Certification Plan must be submitted to the FHWA before January 1st of each year that indicates the State of Connecticut is enforcing all State laws regarding maximum vehicle size and weight. The FHWA requires the permits in order to secure federal funding.

The proposed oversize/overweight fees would help the Department recoup some, but not all of the costs of engineering bridge analyses related to use by oversize/overweight vehicles. Historically, the department has not collected fees for such permits. Surrounding states do charge oversize/overweight vehicles for similar engineering bridge analysis. Additionally, implementation of these fees may reduce the number of overweight permit requests thus, preserving structure integrity and service life of our roads and bridges.

For further information or questions, please contact Pam Sucato, Legislative Program Manager at the Department of Transportation at (860) 594-3013.